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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/897,310 | 07/02/2001 | Hiroaki Shinohara | 50R4611 | 1728 |
| 7590 | 10/31/2005 | | EXAMINER | |
| John L. Rogitz Rogitz & Associates Suite 3120 750 B Street San Diego, CA 92101 | | | SHIBRU, HELEN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2616 | |
| DATE MAILED: 10/31/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 09/897,310 | Applicant(s) SHINOHARA, HIROAKI | |
| | Examiner HELEN SHIBRU | Art Unit 2616 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2001.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-23 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 02 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamkin (US 2002/0088011A1).

Regarding claim 1, Lamkin discloses a system for presenting up-to-date information related to a media- stored content, comprising:

a TV (see fig. 1 display device (138)); and

a digital video disk (DVD) (see CPU (110), ROM (116), RAM (114), I/O ADAPTER (118), bus (112), communication adapter (134), and disk storage unit (120) in fig. 1) player coupled to the TV and including a processor (see fig. 1), the processor determining whether updated information relating to a disk being played on the DVD player is stored in a memory, and if so, displaying the updated information in an information screen (see page 3 paragraph 0035 lines and page 5 paragraph 0068), and otherwise displaying an information screen contained on the disk (see page 5 paragraph 0068 lines 22-24).

Regarding claim 2, Lamkin discloses an input device manipulable to cause the screen to be displayed (see fig. 1 mouse (126), keyboard (124) and user interface adapter (122), and page 3 paragraph 0037 lines 6-17)

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Regarding claim 3, Lamkin discloses the updated information is received from a wide area computer network (WAN) (see page 3 paragraph 0035 lines 10-13 and fig. 1 network (135)).

Regarding claim 4, Lamkin discloses the updated information is received from a DVD (see page 3 paragraph 0035 lines 10-13).

Regarding claim 5, Lamkin discloses the updated information includes DVD releases and theater movie releases (see page 5 paragraph 0068).

Regarding claim 6, Lamkin discloses the updated information is received only after a viewer signal is generated indicating a desire to download updated information (see page 8 paragraph 0109).

Regarding claim 7, Lamkin discloses a method for updating an information screen stored on a DVD, comprising:

receiving, in a memory, updated information pertaining to the DVD (see (page 3 paragraph 0035 and page 5 paragraph 0068);

and displaying the updated information in an information screen as the DVD is being played (see page 5 paragraph 0068 lines 8-24).

Regarding claim 10, Lamkin discloses receiving the updated information only in response to a signal from an input device (see fig. 1 mouse (126), keyboard (124) and user interface adapter (122), page 3 paragraph 0037 lines 6-17, and page 8 paragraph 0109).

Regarding claim 11, Lamkin discloses incentivizing a viewer to access the updated information (see page 5 paragraph 0066 lines 1-9, page 6 paragraph 0077 and page 8 paragraph 0109).

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Regarding claim 12, Lamkin discloses a system, comprising:

a TV (see fig. 1 display device (138)),

a disk player (see CPU (110), ROM (116), RAM (114), I/O ADAPTER (118), bus (112), communication adapter (134), and disk storage unit (120) in fig. 1) coupled to the TV (see bus (112) in fig. 1) for playing at least one disk having content thereon (see page 5 paragraph 0063 lines 1-9) , and

a processor causing at least one information screen to be displayed on the TV at least in part based on the disk, the screen including content received from a storage other than the disk (see page 5 paragraph 0063 lines 9-18 and page 6 paragraph 0072 and 0073).

Regarding claim 13, Lamkin discloses the disk is a DVD and the player is a DVD player (see fig. 1 and page 3 paragraphs 0035 and 0037).

Regarding claim 14, Lamkin discloses the processor is held within a housing of the DVD player (see page 3 paragraph 0037 and see CPU (110), ROM (116), RAM (114), I/O ADAPTER (118), bus (112), communication adapter (134), and disk storage unit (120) in fig. 1).

Regarding claim 15, Lamkin discloses the storage is at least one hard disk drive (HDD) (see page 5 paragraph 0063 lines 9-18).

Regarding claim 19, the limitations of claim 19 can be found in claims 1 and 12 above. Therefore claim 19 is realized and rejected as discussed in claims 1 and 12 above.

Claims 17 and 20 are rejected for the same reason as discussed in claim 2 above.

Claims 8, 18, and 21 are rejected for the same reason as discussed in claim 3 above.

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Claims 9 and 22 are rejected for the same reason as discussed in claim 4 above.

Claim 16 is rejected for the same reason as discussed in claim 5 above.

Claim 23 is rejected for the same reason as discussed in claim 6 above.

Conclusion

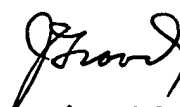
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES J. GROODY can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru
October 21, 2005

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James J. Groody
Supervisory Patent Examiner
Art Unit ~~262~~ 2616